

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

TYSON FISHER,)	
and)	
HILLARY DAVIS,)	
Plaintiff,)	
)	
vs.)	Case No. 16-01157-CV-W-HFS
)	
DNA DIAGNOSTICS CENTER, INC.,)	
d/b/a GTLDNA GENETIC TESTING)	
LABORATORIES,)	
)	
Defendant.)	
_____)	

MOTION FOR LEAVE TO WITHDRAW AS ATTORNEY OF RECORD
AND UNOPPOSED MOTION FOR STAY UNTIL **MARCH 11, 2020**

COMES NOW Michaela Shelton, attorney for plaintiffs Hillary Davis, and plaintiff Tyson Fisher, and submits the following in support of her motion to withdraw and unopposed request for stay:

1. Counsel represents plaintiffs Hillary Davis and Tyson Fisher in this action.
2. Hillary Davis and Tyson Fisher are current clients.
3. An actual conflict of interest has developed from dual representation of plaintiffs.
4. Due to the actual conflict of interest that has developed in this case, representation of plaintiff Davis is likely to be directly adverse to plaintiff Fisher, and representation of plaintiff Fisher is likely to be directly adverse to plaintiff Davis.
5. Because an actual conflict has arisen after representation has been undertaken, under the Mo. Rul. Prof. Resp. 4-1-7, the undersigned counsel must withdraw from the representation of both plaintiffs.
6. Additional time is necessary for plaintiff Fisher to secure new counsel.

7. The undersigned counsel requests a stay of all deadlines in this case until **March 11, 2020**, to allow sufficient time for plaintiff to obtain new counsel.

8. The undersigned counsel has conferred with opposing counsel; a stay until March 11, 2019, is not opposed by counsel for defendants.

9. Under local rule 83.2, to withdraw from a case, an attorney must file a motion to withdraw, which may be granted upon a showing of good cause. The undersigned counsel has demonstrated good cause to withdraw in this motion, due to the development of an impermissible conflict of interest in dual representation of both plaintiffs.

WHEREFORE, Movant prays that the Court grant her leave to withdraw as plaintiffs' attorney of record in the above-captioned cause of action, an order for a stay of all deadlines until March 11, 2020, for such other and further relief as may be proper in the circumstances.

Submitted by:

s/ Michaela Shelton

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Attorney for Plaintiffs